



3763

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
Bonnette, et al. )  
Serial Number: 09/930, <sup>796</sup>~~976~~ )  
Filed: 08/16/2001 )  
For: Thrombectomy Catheter )  
and System )  
(as amended) )

Examiner Rodriguez  
Group Art Unit 3763  
COMMUNICATION

Commissioner for Patents  
Alexandria, VA 22313

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COMMUNICATION

In response to the Notice of Non-Compliant Amendment, the attached Amendment "replaces" the Amendment filed July 02, 2003, which was in response to the Office action mailed March 21, 2003.

With the attached Amendment, claims 1-20 and 22-45 have been revised to read "canceled" instead "withdrawn," as these claims were canceled by preliminary amendment originally filed with this divisional patent application on August 16, 2001.

With the attached Amendment, claims 21, 46-48, 52-55, 57-64 and 69 have been revised to read "previously presented" instead of "previously amended" and "previously added."

CERTIFICATE OF MAILING  
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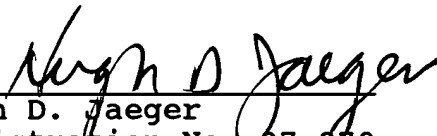
With the attached Amendment, claims 51, 65, 68 and 70 are amended.

With the attached Amendment, withdrawn claims 49, 50, 56, 66 and 67 have been revised to include the text of each claim.

It is believed that the above revisions to the claims now put the attached Amendment in compliance with the requirements of 37 CFR 1.121.

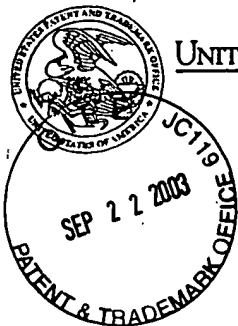
Respectfully submitted,

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09/15/2003

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No. 10

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7-7-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☒ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

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For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

*Tracie Hargrove*  
Legal Instruments Examiner (LIE)